Scott. II-37—50,000—27-10-41.

Home (1949) Department.

1944 SERIES.

P 117(E)

G.O. No. 3784

Dated 15-10-42

[Despatch Abstract.]

Courts - Civil - Bellary district District Munsif's Court, Bellar

Appointment of additional District Munsif - Sanctioned.

JOINT SECRETARY
13 AUG 1942
HOME DEPARTMENT

R.O.C. No.2345/42-D.2

UNDER SECRETARY TO GOVERNMENT
13 AUG 1942
HOME DEPT.

Lr. No. 24799
17.8.42.

From S.P. THOMPSON, Esq., I.C.S.,
Registrar, High Court of Judicature at Madras.

ASSISTANT SECRETARY TO GOVERNMENT
16 AUG 1942
HOME DEPARTMENT

To The Secretary to Government,
Home Department, M a d r a s (with enclosure).

Madras, dated 11th August 1942.

Sub: Courts - Civil - Bellary district - Appointment of an Additional District Munsif - (Part II scheme for 1943-44) - Recommended.

I am directed to forward a copy of letter No.3873 dated 28-7-42 from the District Judge, Bellary, on the subject mentioned above and to state that, in the circumstances set out therein, the Hon'ble the Judges recommend the appointment of an Additional District Munsif to the District Munsif's Court, Bellary with a staff of 3 clerks on Rs.30 - 55 each per month and 3 peons on Rs.12-17 each per month for a period of six months from the date of the reopening of the Court after the summer recess, 1943. I am to request that necessary provision may be made in Part II of the Budget Estimates for 1943-44.

I have the honour to be,
Sir,
Your most obedient servant,
J.P. Thompson
REGISTRAR.

Copy to:
The District Judge,
Bellary.

EG

Copy of letter No.3873/29-7, dated 28-7-1942 from P.N.Ramaswami, Esq. M.A., I.C.S., District Judge, Bellary to the Assistant Registrar, High Court, Madras at Coimbatore.

Sub:- Civil Courts - New appointments of Additional District and Sessions Judge etc., for 1942-43 - High Court's R.O.C.No.2117/42-B.2 dated 11-7-1942 - Proposals submitted.

I have the honour to report that a Sub-Judge has already been sanctioned for this District for 6 months and he has been working from 20-6-1942. No Additional District and Sessions Judge is necessary for this District as the Sessions file is not heavy.

2. As regards the appointment of an Additional District Munsif for the Bellary District Munsif's Court, I herewith furnish figures called for from that Court and they show that there are 119 over one year old suits and 556 suits in all for trial up to 23-7-1942. The statement called for by the High Court is submitted in duplicate as required. An Additional District Munsif was working here from 3-12-1941 to 18-4-1942, but as no substantial reduction in arrears was made till about the 10th March 1942 my predecessor Mr.Mack recommended for his continuance till the end of July 1942 in this office Dis.No.1496/11-3-1942. But orders were received for the abolition of the Additional District Munsif's Court and it was accordingly abolished from 19-4-1942.

3. In my opinion an Additional District Munsif is very essential immediately, as the pendency in this Bellary Munsif's Court is alarming, as it is increasing day by day and the work is too heavy to one Munsif as at present. There would have been reduction in arrears if instead of

P.T.O.

4

2.

Mr.Colaco an energetic District Munsif maintaining cordial relations with the Bar had been working here. This seems to be also the opinion of the permanent District Judge Mr.Mack. I.C.S.

4. In these circumstances, I request that the High Court may be pleased, considering the figures furnished herewith, to recommend the sanction of an Additional District Munsif for this District at least from 1st September 1942 without deferring the matter to 1943-44. I request that an Additional District Munsif's Court for 6 months from 1-9-1942 may be got sanctioned as an urgent measure.

EG

Statement showing institutions, disposals etc., in the District Munsif's Court, Bellary from 1-1-1939 to 23-7-1942.

A.

Class of suits.	Year.	Pending at the beginning of the year.	Institutions.	Total for disposal.	Disposals. After full trial.	Disposals. Otherwise.	Disposals. Total disposals	Pending at the end of the year.	Remarks
Original suits.	1939.	406.	775 plus 20 restored etc.	1199.	231.	473.	704.	495.	75
	1940.	495.	832 plus 29 restored etc.	1356.	262.	537.	799.	557.	
	1941.	557.	748 minus 7 transferred.	1298.	260.	537.	797.	501.	119 suits are a year old on 23-7
	1942. up to 23-7-42.	501.	351 plus 8 restored etc.	860.	77.	227.	304.	556. upto 23-7-42	

Disposals by Mr.Colaco, District Munsif from 3-1-42 to 23-7-42. | After full trial. 44. | Otherwise. 172. | 216. suits.

Disposals by Mr.K.Raghuramayya, Addl. District Munsif from 3-12-1941 to 3-4-1942. ..... | After full trial. 39. | Otherwise. .... 67. | 106. suits.

Small Cause Suits.	1939.	196.	1472 plus 3 restored etc.	1671.	163.	1240.	1403.	268.	
	1940.	268.	1429 plus 2. -do-	1699.	213.	1244.	1457.	242.	
	1941.	242.	1193 plus 5. -do-	1440.	237.	1049.	1286.	154.	
	1942 up to 23-7-42.	154.	664 plus 2. -do-	820.	45.	363.	408.	412. upto 23/7/42	

Disposals by Mr.Colaco, Dt.Munsif from 3-1-1942 to 23-7-1942. | After full trial...34. | Otherwise. .... 257. | 291. suits.

Disposals by Mr.K.Raghuramayya, Addl.Dt. Munsif from 3-12-41 to 18-4-42. | After full trial. 18. | Otherwise. 133. | 151 suits.

B.

Old suits pending in Bellary District Munsif's Court on 23-7-1942. ..... 119.

Likly to become old on the date of closing of the court for summer recess of 1943 if no suit is disposed of in the meanwhile. .... 375.

District Court, Bellary,
Dated 28--7--1942.

P. Somasundaram

District Judge.

Ce
28/7/42

10244
28.9.42

JOINT SECRETARY
24 SEP 1942
HOME DEPARTMENT

R.O.C.2345/42-D2.

From

S.P.Thompson Esquire, I.C.S.,
Registrar, High Court of Judicature, Madras.

To

The Secretary to the Government of Madras,
Home Department (with enclosure

ASSISTANT SECRETARY TO GOVERNMENT
26 SEP 1942
HOME DEPARTMENT

Dated 22-9-1942.

Sir,

Courts - Civil - Bellary district - Appointment of an additional District Munsif in the current year - Recommended.

Reference:- High Court's letter R.O.C.2345/42 D2 dated 11-8-1942.

In continuation of my letter R.O.C.2345/42-D2 dated 11-8-42 I am directed to forward a copy of the further report No.4901 dated 7-9-1942 from the District Judge, Bellary, and to state that in the special circumstances stated therein the Hon'ble the Judges recommend that an additional District Munsif with the usual establishment of three clerks on Rs.30-55 each and three peons on Rs.12-17 each a month be appointed to the District Munsif's Court, Bellary,

8

Bellary, during the current year itself, for a period of four months from the date on which the officer posted takes charge.

2 The extra cost involved in the current year can be met from the existing appropriations for the year under " 27 eB Mufassal Civil and Sessions Courts, Regular Establishments - Pay of Officers and Pay of Establishments- Authorized".

I have the honour to be,

Sir,

Your most obedient servant,

Registrar.

Copy to the District Judge, Bellary.

tv

60

Copy of letter No.4901/8-9, dated 7-9-1942, from the District Judge, Bellary, to the Registrar, High Court, Madras.

I have received a copy of R.O.C.No.2345-42-D-2 dated 11th August 1942 in which an Additional District Munsif's Court, Bellary has been recommended for a period of six months after the summer recess of 1943. In this connection I have the honour to bring the following facts once more to your kind noticeand for favour of necessary action.

2. The Court of the District Munsif of Bellary has fallen into heavy arrears and at present the work there is too heavy for one Munsif. I furnish herewith the exact figures showing that there are 142 over one year old Original Suits and 600 Original Suits in all for trial up to 1-9-1942. These original suits are in addition to the very heavy Small Cause work there. Bellary and Adoni are two mercantile centres and heavy Small Cause Suits involving going through complicated accounts are very common. In fact sometimes the Small Cause Suits are heavier than the Original Suits. Besides the suits work there is very heavy execution and miscellaneous work. In fact I am informed that practically most ofethe day is being spent in attending to the execution, miscellaneous and premiminary work in suits. The arrears have therefore become appalling and litigants are awaiting for months and years to get their work disposed of. I have been receiving representation also from the Bar regarding accumulation of work and the delays caused.

3. An Additional District Munsif was working here from 3-12-1941 to 18-4-1942 but as no substantial reduction was made till about the 10th March 1942 my predecessor Mr. Mack recommended for its continuance till the end of July 1942 in this Office Dis.No.1496 dated 11-3-1942. But orders were received for the abolition of the Additional District Munsif's Court and it was accordingly abolished from 19-4-1942.

4. In my opinion an Additional District Munsif is urgently essential to reduce the pendency from the beginning of next month if possible. I request therefore that the High Court may be pleased

pleased to favourably view this proposal and recommend to Government the sanction of an Additional District Munsif's Court as a special measure from the beginning of next month or at least the middle of October.

C.F. 16.

DRAFT FOR APPROVAL.

	Date.	Initials.
When received for fair copying ..	27/15/4	JH/16/X
When copied ..		
When examined..		
When signed ..		
When despatched.		

SUBJECT :— Home Deptt

Courts - civil - Bellary district Dt. Munsif's court, Bellary - Appointment of additional Dt. Munsif - Sanctioned -

READ AGAIN _____, dated _____ 19____

" " _____ " _____ 19____

READ *ALSO* :—

No. ~~P.I U/X~~ From the ~~High Court R.O.C.~~ No. 2345/42-D2, dated 11-8-1942

" ~~Pp 7 8 Cf~~ " " " 22-9-1942

" _____ " _____ " _____ " _____ 19____

~~Order~~ Ms. ~~Resolution Roul~~. No. 3784, dated 15/X/42 19____

Pvl 2 ins ack
P 16-11 of (X)

Sanction is accorded

i) to the appointment of an addl. Dt. Munsif to the Dt. Munsif's court, Bellary for a period of ~~(five)~~ four months with effect from the date on which the officer posted takes charge;

Pp 7-8 Cf
Pp 4 ngs
b 15 f

~~the opening of the court after its summer recess~~

~~vacation~~; and

Pp 2-3 ngs

ii) to the addition to the establishment of the ~~Dt. Munsif's court~~, Bellary of three clerks on Rs 30-55 each p.m and of three peons on Rs 12-1 each p.m for so long as the number of officers presiding over that court remains at two.

Pp 7-8 Cf

ASSISTANT SECRETARY TO GOVERNMENT 22 OCT 1942 HOME DEPARTMENT

2) ~~No additional provision will be made in the B.E. for 1942-43 and the expenditure should be met from the appropriation~~ The expenditure should be met from the appropriation under "27-E. Administration of Justice - B. Mufassal Civil and Sessions Courts (Pay of Officers + Pay of Establishments) Regular establishments - Voted or authorised."

3) The following notification will be.

12

published in the last Fort St. George Gazette

Notification.

Under Section 4 of the Madras civil courts Act, 1873 (III of 1873) as amended by Act III of 1925, His Excellency the Governor of Madras, after consultation with the High court, is pleased to direct that the number of district munsifs to be appointed to the Dt. Munsif's court, Bellary in the district of Bellary shall be two with effect from the date on which the additional Dt. Munsif appointed to it takes charge.

~~Dt. Munsif appointed to it takes charge court re-opens after the Summer recess in 1943.~~

18/9/42

To

The Hon'ble the C.J. with c.

The Dt. Judge Bellary.

The A-G. thro the fin sec

The fin sec (illegible)

The S.G.I. for publn of the notification in the Gazette

19/10

fwd

14

Home (E) Department.

Courts - Civil - Bellary district - Appointment of an additional District Munsif - Part II scheme for 1943-44.

C.No.7799E/42 From the High Court R.O.C.No.2345/42 D2 dated 11.8.42.

In connection with the part II schemes for 1943-44, the Hon'ble the Judges recommend the appointment of an additional District Munsif to the District Munsif's court, Bellary for a period of six months from the date of re-opening of the court after the summer recess in 1943. The following staff has also been proposed in that connection:-

(1) Three clerks on Rs.30-55 each per month

(2) Three peons on Rs.12-17 each per month.

The cost of the proposal works out to Rs.4272/- per annum. The cost for 6 months ~~works out to~~ is Rs.2136/-

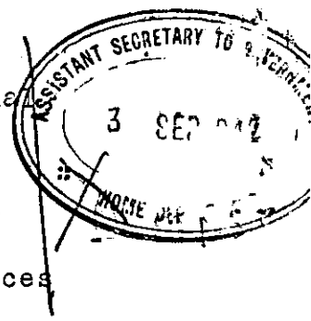
2/ The following statement shows the state of work in the District Munsif's Court, Bellary under O.S. and S.C. from the year 1937:-

	Original Suits.			Small Cause Suits			
Year	Ins.	Dis.	Pen	Ins	Dis	Pen	Remarks.
1937	700	637	311	1229	1248	157	
1938	708	640	406	1075	1041	196	
1939	793	704	495	1475	1403	268	
1940	861	799	557	1431	1457	242	
1941	741	797	501	1198	1286	154	
1942 (up to 20.7.42)	359	304	556	666	408	412	
Full year roughly	808	684		1499	918		
Old standard out-turn		844			857		
New standard		210 (after full trial)					

It will be seen from the statement ~~under consideration~~ that under O.S. the probable institutions in 1942 show an increase when compared with the figures for 1937-39 and 1941. The

pendency on 23.7.42 has correspondingly increased. Under S.C. the probable institutions in 1942 show a considerable increase and the pendency on 23.7.42 is the highest since 1937 and is more than 2½ times what it was in 1941. The present heavy pendency under O.S. & S.C. is probably due to the increase in institutions and to the abolition of the post of the additional District Munsif, Bellary with effect from 20.4.42. The District Judge considers that the additional District Munsif is very essential immediately as the pendency in the Bellary Munsif's court is alarming and as the work is too heavy for one Munsif. On the basis of the standard out-turn of 210 original suits after full trial fixed for the D.M.C., Bellary, the existing arrears of 119 old suits alone represent work for nearly 7 months for one officer. For orders whether in the circumstances the High Court's recommendation to sanction an additional officer for 6 months to the District Munsif's Court, Bellary may be accepted.

A



3. Finance may see for remarks.

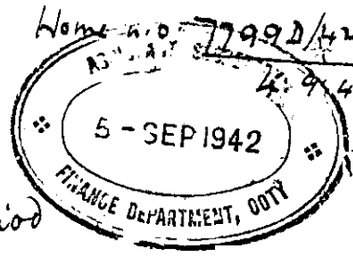
28/8/42

28/8/42

1/9/42

Fin(L&II).

Home A.O. 7799D/42-1



/2421/42

The Home Dept. recommend the High Courts' proposal for the appointment of an additional District Munsif to the District Munsif's court, Bellary for a period of 6 months during 1943-44. The proposal involves the employment of 1 Dt. Munsif on Rs 230-405, 3 clerks on Rs 30-55 and 3 peons on Rs 12-17 and an extra cost of Rs 2136 as shown under:-

		Cost p.m. Rs.
1 District Munsif	(230-405)	230.
3 clerks	(30-55)	90
3 Peons	(12-17)	36.
		356

or Rs 2136 for 6 months.

In the circumstances set out in the Home Dept's note above

in view of
and the state of pendency in the Dt. Munsif's court, Bellary, the proposal may be accepted. The details of the staff proposed call for no remarks - Cf. G.O. 4296 Hm & 269/41

2. As the extra cost is within the limit of Rs 2500, the proposal need not be treated as a Part II Scheme for 1943-44. As this is a new item of expn Orders of the Advisers concerned may be taken before sanctioning the proposal. Steps may also be taken to include the necessary provision in the Budget for 1943-44

JOINT SECRETARY 21 SEP 1942 HOME DEPARTMENT

ASSISTANT SECRETARY TO GOVERNMENT 15 SEP 1942 HOME DEPARTMENT A

revd 15.9.42 FRJ 11942

Draw Home

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Home (F) Dept'll

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ASSISTANT SECRETARY TO GOVERNMENT 27 SEP 1942 HOME DEPARTMENT

28/9/42

A draft order is submitted for approval.

2/ The Budget estimate for 1943-44 are due with Govt on 15.10.42. An entry has been made in the Reminder diary against that date, so that action may be taken with ref: to A above.

3/ for orders as to circulation.

GB 18.9.42 CRV 18/9/42

18/9/42 QS

JOINT SECRETARY 26 SEP 1942 HOME DEPARTMENT

GR 21/9/42

A2 23/9/42

A1 25.9.42

[From the High Court - R.O.C. 2345/42-D2 of 22.7.1942]

for the reasons given in the Dt. Judge's letter on

pages 9-10 Ct, the Hon'ble the Judges recommend that an addl. Dt. Munsif with the usual establishment of 3 clerks + 3 peons may be appointed to the Dt. Munsif's court, Bellary during the current year itself for a period of four months from the date on which the officer posted takes charge. The draft as modified / May be approved is for approval.

2) No further action is called for with ref: to para 2 of this dept/ note on page 3 ante.

3) Finance should see before issue of the order.

JK
30/9/42
JS

29.9.42
29.9.42

CH
1/10/42
Fu

ASSTT. SECRETARY TO GOVERNMENT
7 OCT 1942
HOME DEPARTMENT

JOINT SECRETARY
1-OCT 1942
HOME DEPARTMENT

Home 9545 E-1

Fin (S. II)

(Reverting for note at pp 2-3 ante)

We see the orders in Circulation on pp 3 ante and the further note of Home Dept on pp 3-4 ante. The revised draft order may be accepted.

for Secy Finance

4.10.42

ASSTT. SECRETARY TO GOVERNMENT
2 OCT 1942
FINANCE DEPARTMENT

JOINT SECRETARY
3 OCT 1942
HOME DEPARTMENT

ASSISTANT SECRETARY
3-OCT 1942
FINANCE DEPARTMENT, GOVT

10925 E

Home Dept 7-10-42

for orders as to issue of the draft order in 1609/E

Except for a change in the date of the employment of the Addl Dt Munsif + the period for which he is to be employed, there is no change in the proposal as approved in Circular. The draft may issue.

JK
10/10/42
JS

Circular issued in Home Dept. Notification No. 1609/E dated 10-10-42

C.F. 32 (4).

Department

Received ..... Registered 14082

From (Name) M. Venkatappa, Esq., B.A., B.L.,

To

Designation Additional District Munsif, Bellary

The Chief Secretary to Government of Madras, Madras.

Station

Enclosures:

No. 438. ..... 1943.

Sir.

I have the honour to report that I have closed the Court of the Additional District Munsif, Bellary with effect from the afternoon of this day as directed in High Court's R.C.C.No. 1707/43 B2 dated 24- 3-43.

I have the honour to be,
Sir,
Your most obedient servant,

M. Venkatappa
Addl. District Munsif.

CHIEF SECRETARY 29 MAR 1943

ASSISTANT SECY. TO GOVERNMENT 31 MAR 1943 HOME DEPARTMENT

GOVERNMENT 30 MAR 1943

Home (F) dept.

hpH-12 (X)

..... may be lodged and forwarded in the Hero.m. (2)

3.4.43

4/4/43